

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

Case No. CR20-92 JCC

V.

DETENTION ORDER

BENJAMIN FUENTES,

Defendant.

Offenses charged:

Count 1: Conspiracy to Distribute Controlled Substances in violation of 21 U.S.C. §§ 841(a)(1), (b)(1), and 846

Count 6: Possession with Intent to Distribute – Methamphetamine, Heroin, Fentanyl, and Cocaine in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)

Date of Detention Hearing: On January 27, 2021, the Court held a hearing via a Zoom videoconference, with the consent of Defendant, due to the exigent circumstances as outlined in General Order 18-20. This detention order is without prejudice to renewing once the court has reconstituted in-person hearings.

1 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
2 based upon the reasons for detention stated on the record and as set forth, herein:

3 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 4 1. There is therefore a rebuttable presumption of detention pursuant to 18 U.S.C. §
5 3142(e).
- 6 2. Defendant poses a risk of nonappearance because Defendant has a history of
7 failures to appear for Court, including at least one pending warrant.
- 8 3. Defendant was on supervision when the pending charges are alleged to have
9 occurred.
- 10 4. Defendant poses a risk of danger due to the nature of the alleged offense and his
11 pattern of criminal activity.
- 12 5. Defendant does not have a stable residence or stable employment.
- 13 6. Taken as a whole, the record does not effectively rebut the presumption that no
14 condition or combination of conditions will reasonably assure the appearance of the
15 Defendant as required and the safety of the community.

16 IT IS THEREFORE ORDERED:

- 17 (1) Defendant shall be detained pending trial, and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;
- 21 (2) Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
 - (4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the Defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

Dated this 28th day of January, 2021.

M. J. Ferguson

MICHELLE L. PETERSON
United States Magistrate Judge